

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lewis Rowell on October 16, 2007.

The application has been amended as follows:

Add in Specification at line 25 **on page 4**

As shown best in Figure 3, an embodiment of the final convertible top fabric 20 as illustrated in Figure 2 of the present invention comprises an outer fabric layer 22 formed of discrete specialty yarns 30 and effect yarns 40.

Claim 27 (currently amended) A roofing material for automobiles, comprising:

(a) an outer woven fabric layer having an inner surface and an outer surface and formed of at least 50% by weight of discrete polymeric coated specialty yarns and other discrete non-coated effect yarns, the outer fabric layer having an outer surface and an inner-surface, wherein:

(i) the specialty yarns are formed of a core yarn having a denier between 70-1200 and are covered by a polymeric coating, and the denier of the specialty yarns ranges from 500-3500;

(ii) ~~the integrity of the discrete specialty yarns and effect yarns are maintained~~  
intact in the woven fabric in the final roofing material;

(b) an inner fabric layer formed of non-coated yarns ~~conventionally used as headliner fabric~~, the inner fabric layer having an inner surface adjacent to the inner surface of the outer fabric layer; and

(c) an adhesive waterproofing layer, the waterproofing layer extending across the entire inner surface area of the outer layer and bonding the inner surface of the outer layer to the inner surface area of the inner layer and thereby making the roofing material waterproof, ~~wherein the outer layer maintains the appearance of a woven fabric without altering the structure of the discrete yarns forming the outer layer.~~

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Figure 1 must be relabeled as showing the appropriate order of the layers as discussed in the Specification and Figure 3 must be provided with labels. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

3. The following is an examiner's statement of reasons for allowance:

4. The Amendment submitted on August 20, 2007 has been entered. Claims 3, 9 and 27 are amended and the pending claims are 3, 6 – 7, 9, 11 – 13 and 27.

5. The 35 USC 103 rejection of claims 3, 6 - 7, 11 - 13 and 27 based on Corry (US 2,942,327) in view of Schnabel (GB 1,374,223) is withdrawn since Schnabel fails to teach or suggest an outer woven fabric having discrete polymeric coated specialty yarns and discrete non-coated yarns, wherein the discrete specialty yarns and effect yarns are

maintained in the woven fabric. It should be noted that the coated yarns in Schnabel are heated such that the coating of the yarns creates a matrix that embeds the entire woven fabric (see page 3, lines 1 – 120). As a result, the discrete specialty yarns are not maintained.

6. The 35 USC 103 rejection of claim 9 based on Corry (US 2,942,327) in view of Schnabel (GB 1,374,223) and further in view of Druckman et al. (US 4,996,100) is withdrawn because claim 9 depends from claim 27.

7. Claims 3, 6 – 7, 9, 11 – 13 and 27 are allowable.

8. The prior art fails to teach or fairly suggest a laminate having an outer woven fabric having discrete polymeric coated specialty yarns and discrete non-coated yarns, wherein the discrete specialty yarns and effect yarns are maintained in the woven fabric in combination with an adhesive waterproofing layer and an inner fabric layer of non-coated yarns.

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer A. Chriss whose telephone number is 571-272-7783. The examiner can normally be reached on Monday - Friday, 8 am - 5:30 pm, 1st Friday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 571 - 272-1478. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Elizabeth M. Cole/  
Primary Examiner, Art Unit 1794

/Jennifer A Chriss/  
Examiner, Art Unit 1794  
October 18, 2007